

EXHIBIT A



Notice of Service of Process

A3M / ALL
Transmittal Number: 20625771
Date Processed: 10/31/2019

Primary Contact: SOP Team nwsop@nationwide.com
Nationwide Mutual Insurance Company
Three Nationwide Plaza
Columbus, OH 43215

Electronic copy provided to: Ashley Roberts

Entity: Nationwide Mutual Insurance Company
Entity ID Number 3277054

Entity Served: Nationwide Mutual Insurance Company

Title of Action: Mark Przybyltsi vs. Nationwide Mutual Insurance Company

Document(s) Type: Summons/Complaint

Nature of Action: Contract

Court/Agency: Morris County Superior Court, NJ

Case/Reference No: MRS-L-002212-19

Jurisdiction Served: New Jersey

Date Served on CSC: 10/30/2019

Answer or Appearance Due: 35 Days

Originally Served On: CSC

How Served: Personal Service

Sender Information: Law Offices of Damian Christian Shammas, LLC
N/A

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

10-30-19

K.A.

LAW OFFICES OF DAMIAN CHRISTIAN
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Morristown, NJ 07960
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Attorneys for Plaintiff

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T: 973-794-6188; F: 973-201-2209
colin@cmpemploymentlaw.com
Attorneys for Plaintiff

MARK PRZYBYLSKI,

Plaintiff,

v.

NATIONWIDE MUTUAL INSURANCE
COMPANY,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MORRIS COUNTY

Docket No. MRS-L-2212-19

Civil Action

SUMMONS

From The State of New Jersey To The Defendant Named Above: **Nationwide Mutual Insurance Company**

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint and Jury Demand attached to this summons states the basis for this lawsuit. If you dispute this Complaint and Jury Demand, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the Complaint and Jury Demand is one in foreclosure, then you must file your written answer or

motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.


Michelle M. Smith
Clerk of the Superior Court

Dated: October 28, 2019

Name of Defendant to Be Served: Nationwide Mutual Insurance Company

Address of Defendant to Be Served: Corporation Service Company, Princeton South Corporate Center, Suite 160, 100 Charles Ewing Blvd., Ewing, New Jersey 08628

Note: The Case Information Statement is available at www.njcourts.com

Directory of Superior Court Deputy Clerk's Offices County Lawyer Referral and Legal Services Offices

ALBANY COUNTY:
Deputy Clerk of the Superior Court
Civil Division, Direct Billing
1201 Borchard Blvd., 7th Fl.
Albany City, NY 12241

LAWYER REFERRAL
(518) 245-4444
LEGAL SERVICES
(518) 245-4200

ALBANY COUNTY:
Deputy Clerk of the Superior Court
Civil Division, Room 115
Justice Center, 10 Main St.
Rensselaer, NY 12141

LAWYER REFERRAL
(518) 487-0044
LEGAL SERVICES
(518) 487-2166

BURLINGTON COUNTY:
Deputy Clerk of the Superior Court
Central Processing Office
Adm. Judicial Inlets
West Av., Courthouse Building
49 Randolph Rd.
Mt. Holly, NJ 08060

LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(609) 261-1008

CAMDEN COUNTY:
Deputy Clerk of the Superior Court
Civil Processing Office
Hall of Justice
1st Fl., Suite 150
101 South 5th Street
Camden, NJ 08109

LAWYER REFERRAL
(856) 492-0618
LEGAL SERVICES
(856) 964-2010

CAMDEN COUNTY:
Deputy Clerk of the Superior Court
8 N. Main Street
Camden Court House, NJ 08220

LAWYER REFERRAL
(609) 462-0113
LEGAL SERVICES
(609) 462-3001

CUMBERLAND COUNTY:
Deputy Clerk of the Superior Court
Civil Case Management Office
60 West Broad Street
P.O. Box 10
Bridgeton, NJ 08302

LAWYER REFERRAL
(856) 696-5550
LEGAL SERVICES
(856) 691-1494

ESSEX COUNTY:
Deputy Clerk of the Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr. Blvd.
Newark, NJ 07102

LAWYER REFERRAL
(973) 622-6204
LEGAL SERVICES
(973) 624-4500

GLOUCESTER COUNTY
Deputy Clerk of the Superior Court
Civil Case Management Office
Attic Inlet
First Fl., Court House
1 North Broad Street
Woodbury, NJ 08096

LAWYER REFERRAL
(846) 848-4389
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY
Deputy Clerk of the Superior Court
Superior Court Civil Records Dept.
Hudson County Court House - 1st Floor
583 Newark Ave.
Jersey City, NJ 07310

LAWYER REFERRAL
(201) 792-2727
LEGAL SERVICES
(201) 792-6363

MONTGOMERY COUNTY
Deputy Clerk of the Superior Court
Civil Division
45 Park Avenue
Bloomington, NJ 08822

LAWYER REFERRAL
(908) 286-6109
LEGAL SERVICES
(908) 782-7979

MORRIS COUNTY
Deputy Clerk of the Superior Court
Local filing Office, Courthouse
175 S. Broad Street P.O. Box 2098
Trenton, NJ 08650

LAWYER REFERRAL
(609) 583-6300
LEGAL SERVICES
(609) 692-8249

MIDDLESEX COUNTY
Deputy Clerk of the Superior Court
Middlesex Village
2nd Floor - Dwyer
55 Paterson Street, P.O. Box 2633
New Brunswick, NJ 08902-2633

LAWYER REFERRAL
(732) 243-0059
LEGAL SERVICES
(732) 249-1608

MONTMOUTH COUNTY
Deputy Clerk of the Superior Court
Court House
P.O. Box 1269
Freehold, NJ 07728-1269

LAWYER REFERRAL
(732) 431-3444
LEGAL SERVICES
(732) 866-0620

MORRIS COUNTY
Morris County Courthouse
Civil Division
Washington and Court Streets
P.O. Box 910
Monticello, NJ 07960-0910

LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OSCEOLA COUNTY
Deputy Clerk of the Superior Court
118 Washington Street, Room 121
P.O. Box 2191
Trenton, NJ 08646-2191

LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY
Deputy Clerk of the Superior Court
Civil Division
Court House
77 Hamilton Street
Paterson, NJ 07653

LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 423-4900

SALAMOUNT COUNTY
Deputy Clerk of the Superior Court
Admin. Civil Case Management Office
52 Market Street
Slate, NY 08079

LAWYER REFERRAL
(856) 925-6029
LEGAL SERVICES
(856) 691-0494

SOMERSET COUNTY
Deputy Clerk of the Superior Court
Civil Division
P.O. Box 3000
40 North Bridge Street
Somerville, NJ, 08876

LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 281-0840

SUSSEX COUNTY
Deputy Clerk of the Superior Court
Sussex County Judicial Center
42-47 High Street
Newton, NJ 07860

LAWYER REFERRAL
(973) 267-5382
LEGAL SERVICES
(973) 383-7400

UNION COUNTY
Deputy Clerk of the Superior Court
1st Fl., Court House
2 Broad Street
Elizabeth, NJ 07207-6073

LAWYER REFERRAL
(908) 253-4715
LEGAL SERVICES
(908) 254-4340

WARREN COUNTY
Deputy Clerk of the Superior Court
Civil Division Office
Court House
412 Second Street
Belvidere, NJ 07823-1500

LAWYER REFERRAL
(908) 859-4300
LEGAL SERVICES
(908) 473-2010

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colin@cmpemploymentlaw.com
Attorneys for Plaintiff

MARK PRZYBYLSKI,

Plaintiff,

v.

NATIONWIDE MUTUAL INSURANCE
COMPANY,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MORRIS COUNTY

Docket No.

Civil Action

COMPLAINT

1. The Plaintiff, Mark Przybylski ("Przybylski"), states by way of Complaint against the Defendant, Nationwide Mutual Insurance Company ("Nationwide"):

THE PARTIES

2. Przybylski resides at 10 Mulford Avenue in the Township of East Hanover and the County of Morris.
3. Nationwide is an insurance company that is headquartered in Columbus, Ohio.

JURISDICTION

4. This court has jurisdiction over Nationwide due to its extensive business contacts with the state.

VENUE

5. Venue is proper as Morris County is the county in which Plaintiff resides.

FACTUAL ALLEGATIONS

6. Przybylski began working for Nationwide as an insurance adjuster on or about April, 2015.
7. Przybylski's duties involved inspecting vehicles that were involved in accidents in order to make liability assessments.
8. At all times during his employment with Nationwide, Przybylski was paid an hourly wage and was classified as non-exempt and entitled to overtime compensation.
9. At all relevant times, Nationwide's stated policy was to pay Przybylski his full hourly rate for all hours worked plus an additional overtime premium equivalent to one-half of his regular rate for each hour worked over forty.
10. Przybylski was given a heavy caseload and short deadlines that regularly required him to work more than forty hours per week.
11. Upon information and belief, other insurance adjusters in his region also regularly worked more than forty hours per week.
12. Przybylski and other insurance adjusters raised the issue of working overtime with their regional manager.
13. Przybylski's regional manager acknowledged that he knew the adjusters / appraisers were regularly working more than forty hours per week and told him and other adjusters that there was not money in the budget for overtime and forbid them from reporting more than forty hours per week. He told them they should keep track of their actual hours and he would make up the pay they were owed when there was a CAT Code event such as a hurricane or major storm.

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14. Przybylski understood that the regional manager meant that there was much less scrutiny of the CAT Code budget after a major weather event in the region and that the regional manager would then authorize payment for overtime hours worked during that period.
15. However, when there were major weather events that dramatically increased the hours that Przybylski had to work, he was only paid for the actual hours he worked and the regional manager did not allow him to put in hours that he had worked previously.
16. The regional manager kept promising Przybylski and the other adjusters that he would make up these hours later.
17. Eventually Przybylski became frustrated with the continual delays and made a complaint for unpaid wages and overtime pay to Nationwide's human resources department.
18. Nationwide began an investigation of Przybylski's claims for unpaid wages.
19. On or about February 22, 2019, Przybylski left his employment with Nationwide.
20. Przybylski continued to cooperate with Nationwide's investigation of his pay claims.
21. On or about July 26, 2019, Nationwide paid \$51,924.58 to Przybylski for unspecified unpaid wages.
22. The amount paid was less than Przybylski claimed he was owed for the two years at issue and did not compensate him for any unpaid wages or overtime pay for time worked prior to 2017.

CLAIM ONE – WAGE THEFT

23. Plaintiff repeats and realleges the allegations set forth above as if set forth at length herein.
24. At all relevant times, Defendant promised to pay Plaintiff a specified hourly rate for all hours worked ("straight-time pay").

25. At all relevant times, Defendant promised to pay an additional overtime premium of one-half times Plaintiff's regular rate of pay for all hours worked over forty in a week ("overtime pay").
26. Throughout his employment, Defendant directed Plaintiff not to enter all hours worked over forty in a week and Defendant knowingly failed to pay Plaintiff both his straight-time pay and overtime pay for all hours worked.
27. Plaintiff made a claim to Defendant for unpaid wages following the termination of his employment.
28. Defendant investigated his claims and paid part of his unpaid wages but refused to pay the full amount of unpaid wages owed in violation of New Jersey Wage Payment Law and the New Jersey Wage Theft Act.

WHEREFORE, Plaintiff demands judgment against Defendant and seeks damages for unpaid wages, liquidated damages, interest, attorney's fees, costs of suit, and such other relief that the Court may deem just and proper.

CLAIM TWO -- FAILURE TO PAY OVERTIME

29. Plaintiff repeats and realleges the allegations set forth above as if set forth at length herein.
30. Defendants violated the Fair Labor Standards Act ("FLSA") and the New Jersey Minimum Wage Act ("NJMWA") by failing to pay Plaintiff overtime pay at one and one-half times Plaintiff's regular rate of pay for all hours worked over forty in a week.
31. Plaintiff made a claim to Defendant for unpaid wages following the termination of his employment.

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32. Defendant investigated his claims and paid part of his unpaid overtime but refused to pay the full amount of unpaid overtime owed in violation of the Fair Labor Standards Act ("FLSA") and the New Jersey Minimum Wage Act ("NJMWA").

33. The Defendant's failure to pay overtime pay was willful.

WHEREFORE, Plaintiff demands judgment against Defendant and seeks damages for unpaid overtime, liquidated damages, interest, attorney's fees, costs of suit, and such other relief that the Court may deem just and proper.

DEMAND FOR TRIAL BY JURY


Plaintiff demands a trial by jury on all issues.

DESIGNATION OF TRIAL COUNSEL

Colin M. Page and Damian Christian Shammas are hereby designated as trial counsel in this matter.

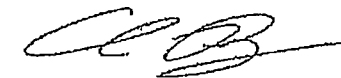
LAW OFFICES OF DAMIAN
CHRISTIAN SHAMMAS, LLC
Attorneys for Plaintiff

Date: October 14, 2019


Damian Christian Shammas (014731999)

COLIN M. PAGE & ASSOCIATES
Attorneys for Plaintiff

Date: October 14, 2019


Colin M. Page (046401998)

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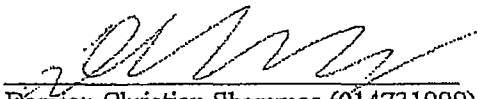
CERTIFICATION PURSUANT TO R. 4:5-1

I am counsel for Plaintiff in this matter. To the best of my knowledge, the matter in controversy is not the subject of any other action pending in any court or arbitration proceeding, and no other action or arbitration proceeding is contemplated, and no other parties should be joined to this action.

I certify that the foregoing statements are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

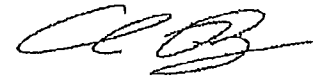
**LAW OFFICES OF DAMIAN
CHRISTIAN SHAMMAS, LLC**
Attorneys for Plaintiff

Date: October 14, 2019


Damian Christian Shammas (014731999)

COLIN M. PAGE & ASSOCIATES
Attorneys for Plaintiff

Date: October 14, 2019


Colin M. Page (046401998)

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Civil Case Information Statement

Case Details: MORRIS | Civil Part Docket# L-002212-19

Case Caption: PRZYBYLSKI MARK VS NATIONWIDE
MUTUAL IN SURANCE

Case Initiation Date: 10/14/2019

Attorney Name: DAMIAN CHRISTIAN SHAMMAS

Firm Name: DAMIAN CHRISTIAN SHAMMAS, LLC

Address: 6 SOUTH ST STE 301

MORRISTOWN NJ 07960

Phone: 9739988500

Name of Party: PLAINTIFF : Przybylski, Mark

Name of Defendant's Primary Insurance Company

(If known): Unknown

Case Type: EMPLOYMENT (OTHER THAN CEPA OR LAD)

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same
transaction or occurrence)? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? YES

If yes, is that relationship: Employer/Employee

Does the statute governing this case provide for payment of fees by the losing party? YES

Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the
court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

10/14/2019
Dated

/s/ DAMIAN CHRISTIAN SHAMMAS
Signed